

## EPA's FOIA Program

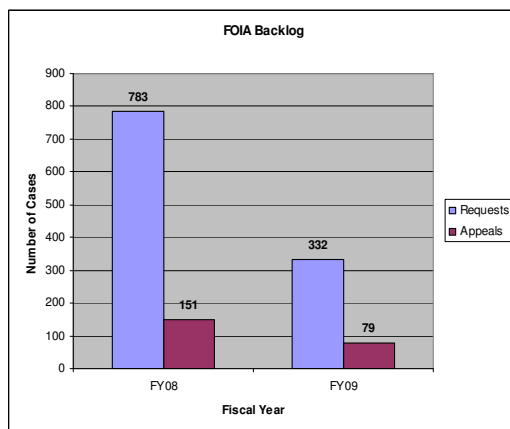
EPA is committed to the letter and spirit of the Freedom of Information Act (FOIA). The Agency's Chief Information Officer is the Agency's Chief FOIA Officer (CFO). The CFO is responsible for Agency-wide FOIA policy and administration. EPA's FOIA Public Liaison assists with resolving disputes requesters have with the Agency. The Public Liaison facilitates timely FOIA responses, provides information on the status of requests and fosters greater openness and transparency in the Agency's FOIA administration activities. The National FOIA Staff, under the leadership of the Agency FOIA Officer, provide national oversight and manage FOIA processing activities, including training, developing policies and procedures, overseeing Agency-wide FOIA responses, operating an electronic tracking system and managing the Agency's FOIA Web site. The National FOIA staff report to the FOIA Public Liaison.

The Agency continues to proactively ensure that the presumption of openness is applied to its FOIA decisions and administrative appeal processes.

To ensure Agency awareness of the President's FOIA Memorandum and the Attorney General's FOIA Guidelines, the EPA Administrator issued a memorandum, "Transparency in EPA's Operations" to all employees on April 23, 2009, that communicates the Agency's full commitment to these policies.

*EPA reduced its overdue backlog from 23,514 to 332. In FY 2009, 96% of all new requests were responded to within the statutory deadlines. FOIA processes were centralized to improve application of statutory criteria and response rates.*

EPA's program and Regional offices analyze and respond to more than 10,000 FOIA requests each year. Over the past several years, EPA aggressively tackled reducing its backlog of overdue requests while responding to new requests in a timely manner. In 2001, there were 23,514 overdue FOIA requests. The Agency revised its FOIA procedures and processes, deployed new information technology tools, and collaboratively worked with subject matter experts across the Agency to reduce overdue requests to less than 10% of the number of new requests received. By 2007, EPA met its goal and continued to reduce the backlog so that by the end of FY2009, the Agency's backlog totaled 332.



To ensure consistency in the application of statutory criteria, EPA moved all fee waivers and expedited processing decisions from the regions to its national office in 2009. In FY 2009, EPA responded to 96% of all FOIA requests within the 20-day statutory deadline.

EPA's Office of Pesticide Programs completely redesigned its electronic FOIA reading room to make thousands of highly sought after pesticide science data and regulatory records available without filing a FOIA request. The reading room provides access to a database of 13000 scientific reviews and 300 pesticide active ingredients. In addition, the public can find 800 pesticide product registrations containing 150,000 pages on [www.regulations.gov](http://www.regulations.gov). Since making the database and documents available online, FOIA requests for this information have plummeted from 20% to 3% of total requests.

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In addition, EPA streamlined the public's ability to electronically file FOIA requests by providing an online form to submit a request. In March 2009, the Agency launched a Web page which allows the public to track the status of their FOIA requests. Finally, EPA increased transparency and access to information by posting frequently requested information online. For example, an individual who would like to export a vehicle has to produce a certificate issued by EPA. In the past, the individual would make a FOIA request for the certificate which might take days or weeks to receive. Now, anyone can go online to EPA's FOIA site and print the certificate from the database.

The National FOIA Office, in partnership with the Office of General Counsel, conducts a variety of FOIA trainings at Headquarters and in EPA's ten EPA Regional Offices. EPA sponsors national training conferences for employees and contractors. EPA holds monthly conference calls with Regional FOIA Officers; monthly meetings with FOIA contacts in the headquarters program offices; and semi-annual meetings with Regional FOIA Officers. All of these meetings involve, and some are entirely focused on educating, informing and training employees who support FOIA activities in diverse ways on new developments in the FOIA program, including Administration policies.

EPA continues to look for additional ways to increase transparency and provide more information online for public access. In Q3 FY2010, the Agency plans to provide access on the status of environmental contaminants on specific properties which are frequently requested as part of real estate transactions. More information on EPA's FOIA program and its Open Government Plan is available at [www.epa.gov/foia](http://www.epa.gov/foia).